

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re: Jason J. Wojes,
Debtor.

Chapter 13
Case No. 14-30395-gmh

DEBTOR'S MOTION FOR RELIEF FROM ORDER DATED JANUARY 12, 2016

Jason J. Wojes, by his attorneys, ESSERLAW LLC, respectfully moves the Court for relief from its order dated January 12, 2016 and states in support of his motion as follows:

1. The Court entered an order on January 12, 2016 that required the debtor to make monthly plan payments of \$126 bi-weekly beginning in February 2016. The order allows the Trustee to file an Affidavit of Default seeking dismissal of the case if any payment is missed between February 2016 and October 2016.
2. An Order for Chapter 13 Payment by Debtor was entered on January 11, 2016 requiring the debtor to make direct payments to the Trustee in the amount of \$273.00.
3. The debtor made the February 2016 payment of \$273.00 that was received on March 8, 2016.
4. The debtor made the March 2016 payment of \$273.00 that was received on April 12, 2016.
5. The debtor's unemployment compensation ended in March 2016.
6. The debtor has secured new employment and will begin work on April 29, 2016.
7. The debtor believes that he will be unable to make the April or May 2016 plan payments because of the timing of his paychecks from his new employer and his need to pay his rent and other monthly expenses.
8. The Trustee has not yet filed an Affidavit of Default in this case.
9. The debtor intends to make all further monthly plan payments.
10. The debtor has no objection to the "doomsday" provision from the January 12, 2016 order being extended through December 2016.
11. If necessary, debtor will file an amended plan to address feasibility.

WHEREFORE, the debtor respectfully requests that the Court grant him relief from the January 12, 2016 order, excuse his late payment for March 2016, relieve him from the obligation to make the April and May 2016 plan payments, extend the doomsday period through December 2016, and grant him such other and further relief as is just and appropriate.

Dated this 25th day of April, 2016.

ESSERLAW LLC
Attorneys for the Debtor

/s/ Kirk M. Fedewa
KIRK M. FEDEWA

ESSERLAW LLC
11805 West Hampton Avenue
Milwaukee, WI 53225
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NOTICE OF MOTION FOR RELIEF FROM ORDER DATED JANUARY 12, 2016

Jason J. Wojes, by his attorneys, ESSERLAW LLC, has filed papers with the Court to obtain relief from Order dated January 12, 2016.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief from Order dated January 12, 2016, or if you want the court to consider your views on the motion, then within **14 days** of the filing date indicated on this notice, you or your attorney must file with the court a written response explaining your position and requesting a hearing at:

Clerk, United States Bankruptcy Court
Eastern District of Wisconsin
517 East Wisconsin Avenue
Milwaukee, WI 53202

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the deadline stated above.

You must also mail a copy to:

ESSERLAW LLC
Attn: Kirk M. Fedewa
11805 West Hampton Avenue
Milwaukee, WI 53225

Mary B. Grossman
Chapter 13 Trustee
PO Box 510920
Milwaukee, WI 53203

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting the relief requested.

Dated this 25th day of April, 2016.

ESSERLAW LLC
Attorneys for the Debtor

/s/ Kirk M. Fedewa
KIRK M. FEDEWA

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CERTIFICATE OF SERVICE

STATE OF WISCONSIN)
) ss
MILWAUKEE COUNTY)

The undersigned, being first duly sworn on oath, says on the 25th day of April 2016, she placed the DEBTOR'S MOTION FOR RELIEF FROM ORDER DATED JANUARY 12, 2016, a copy of which is now on file herein, in a properly addressed postage paid envelope and mailed it, or served it electronically if the party accepts electronic service, to the following:

Mary Grossman (via ecf)
Chapter 13 Trustee

Jason J. Wojes
625 Shepherd Court,
Apt #202
Brookfield, WI 53045

/s/ Nancy A. Lipinski
Affiant

Subscribed and sworn before me
this 25th day of April, 2016.

/s/ Kirk M. Fedewa
Notary Public, State of Wisconsin
My Commission is permanent.

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